

CLARK COUNTY BOARD OF COMMISSIONERS PUBLIC HEARING

DATE TAKEN: December 16, 2003
TIME: 10:00 a.m. - 12:00 p.m.
2:30 p.m. - 3:00 p.m.
PLACE: 1300 Franklin Street, 6th Floor
Vancouver, Washington
COURT REPORTER: Cindy J. Holley, CSR

PROCEEDINGS

PRIDEMORE: Just give us a couple of minutes to change audiences.
Mr. Lee, do you have any introductory comments?

LEE: I was looking for the microphone and it's right in front of me and I guess that was a subtle message that I shouldn't say much and should get on with the discussion. This meeting was continued from last week and the stated intent of the continuation was for the Board to discuss what the next steps in the comprehensive plan review process were. And I think that is primarily at this point a discussion among the three Commissioners and certainly we are here to respond to any questions that you have.

MORRIS: I have a question. Mr. Lee, I had E-mailed you yesterday and I've not had time this morning to see if you responded, we received on the 12th of this month, which was last Friday, a letter from CTED and they had some comments in there about what they had reviewed and I was -- you were hoping that we might be able to advance with the text at least today and I was wondering if that letter made any difference to you in your hopes for the text?

LEE: I would say that today, as I stated, was primarily discussion of the next steps. One of those steps that I would urge would be to the extent possible try and adopt the text, the code changes, et cetera, but I wasn't expecting that today. And, yes, I do believe that we need to review the CTED comments before we do that.

MORRIS: Thanks. Thank you. I'm going to need to get my book.

STANTON: I'm just trying to figure out what you just said. Did you want us to actually go ahead and identify those elements within the plan that we could adopt today or are you saying that we ought to today discuss when we will make decisions on the text?

LEE: I was -- the latter I think it would be good to identify and I think some of these things could be done very soon when we could identify and to do so we'd need to develop the appropriate ordinances and whatnot as well.

PRIDEMORE: What's the -- well, let's wait for Commissioner Morris

to be back. I guess just what I'm thinking is my sense after the public discussions and everything is that we are not going to be able to conclude the plan either by year-end or in the next few weeks and that we're probably looking at about six months longer. What would be the advantage of moving forward with any of it separate from the other pieces?

LEE: I see Mr. Lowry jumping here. Probably final adoption should go together, but I think it would be clearly stated that you could make sort of a statement of intent to adopt or something of that sort for these other things so that basically if we're continuing to focus on capital facilities, we can focus on capital facilities instead of having to worry about a lot of these other variables that may be out there.

LOWRY: Rich Lowry. The County Code does have a provision for intent to rezone. Now that's not directly applicable to the comp plan, but the Board could use that same technique if you chose to and say our intent is to adopt this document once these issues are resolved in a way that results in internal consistency, one of which obviously is capital facilities. There may be other issues that the Board identifies need more work, but I think the Board could at this point lay to rest subject to those issues as much of the plan as you choose to.

PRIDEMORE: And that would simply narrow the scope of where you go from here.

LEE: (Nods head affirmatively.)

PRIDEMORE: What's the Board's preference?

STANTON: I know that I want the capital facilities information and we've had the discussion about what comes first, drawing the boundaries or having the capital facilities plans. Originally I would have wanted to have proposals from Cities that had supporting evidence that they could serve an area, but I understand the cycle we got into where the County was changing the boundaries and it was real hard for Cities to do their planning. And special purpose districts as well, not just Cities. So I think we need to do some lines on a map, they may be dotted lines, but we need to come to some agreement. I don't know that that would be today, maybe that's something we do right after the 1st of the year and then allow those boundaries to be the ones that jurisdictions can plan to and put their capital facilities plans together.

I don't remember hearing a lot of comment on the plan text. In fact it kind of surprised me that some of the organizations supporting economic development, for example, didn't comment on the proposed element for economic development. I don't think all the way through the process on some of the rather key chapters in the plan that there were a whole lot of comments. I remember one from school districts, and a request for a code change actually from them, but I guess I don't feel like we got a whole lot of comment

on the plan. And I don't know whether that was everybody focusing on the maps because they were changing or if it's perfect the way it is.

I think one of the things that I would like to put at rest early on is the planning assumptions. We heard some things during testimony that we ought to go back and reconsider that, and the other day I just had this horrified feeling that we were never ever going to be done with this. It was just because you can constantly ask for additional information that makes your decision more certain, but I find a whole lot of things that are uncertain in this as we go forward and with the focus that I've wanted to put on the job producing lands, that's one area where I feel really uncomfortable about trying to tie any numbers to job producing lands just because there is so much variation. There are the planning numbers and then there are the actual capacity numbers and you can make any assumption you want to on whether we're going to get 20 jobs per acre or 3 jobs per acre.

And so I mean I think that there's a range in a lot of these. I think we're dealing with averages and ranges and so I'm comfortable with the planning assumptions that we adopted before we put the proposed plan in place, so I'd like to move forward with trying to solidify those anyway.

PRIDEMORE: Comments, Commissioner Morris?

MORRIS: Well, I would like to see us do at a minimum an available buildable lands inventory on the three most recent maps, the preferred -- it wasn't the preferred, it was the proposed alternative from July, the staff recommendation to the Planning Commission that moved lines in Battle Ground and Vancouver, and then again the recommendation from the Planning Commission to the Board of County Commissioners which made more changes in the lines and they added significantly to Ridgefield. We don't know what we have out there. We've had a number of people testify about houses under construction, areas that are zoned or supposed to come in at R1-6 to R1-10 where it's already built and we can't -- that I believe would automatically fall off of our inventory of lands if we were to run those numbers on them. So we don't know what we've got right now in any of those maps that's very secure.

So I'd like to see us find out what we've got first of all and see if it even begins to accommodate what we are hoping for. I think staff would love to see a reconfirmation of the assumptions. I cannot support the assumptions. I didn't at the time they were made in July and I haven't changed my mind about them. Ironically I guess the one assumption that I do think is probably okay is the population forecast and that's the one that's been under a whole lot of pressure, but all of the rest of the assumptions were changed so dramatically that effectively what we've done is between the preferred alternative and any of the other alternatives, we increased the urban population by 50 percent and we decreased the amount of available land for them by 50 percent.

So when we took out the market factor and we took out the -- we took the households per population and we changed the infrastructure deduction, we wound up with not enough land to accommodate what we want to do. I believe we haven't so I -- if the assumptions continue to stay on record, again I don't agree with the way most of them were changed in July, and most of all I don't agree with our dependence on 50 percent of what we call available buildable lands as underdeveloped or underutilized when we don't know how underutilized and we are assuming over, you know, 50 percent of that available buildable land and 70 percent of that is going to develop somehow or other which is a heavy dependence so I can't support that.

So I guess I'm clarifying my position once again, we need a market factor for a margin of error, we need -- our infrastructure deductions are based on studies that were done in a built out environment, we have documented studies submitted by a number of companies and private citizens suggesting that the infrastructure deduction is significantly larger than that 28 percent. The City of Battle Ground has documented their infrastructure deduction at 38 percent and so I think we need to reexamine that assumption that changed. So again I want to be on record if you're going to reconfirm your assumptions and I don't agree with them.

PRIDEMORE: We've got four essential pieces of this, the assumptions, plan text, land use, capital facilities plan. The land use and capital facilities plan is what most of the discussion has been about and that's the portions that I think would be difficult for us to resolve in the short-term. I mean I think that's where we've got that discussion is going to need a few more months. I'm not interested in reconsidering the assumptions. I think they've been through significant process and significant debate and there's information on all sides and that's an issue that we could continue to debate for years, so I'm not interested in reconsidering the assumptions. The plan text overall I'm pleased with, I think there's a couple of issues including the school districts' request and also regards to the no net loss policy, what form does that take, that I think needs more discussion. I'm increasingly concerned about some of the information that came out Friday from staff regarding conversion or development of lands that are being proposed for inclusion specifically around Meadow Glade where areas that have been tentatively designated for industrial zoning have suddenly rushed forward with development of residential.

The longer this plan goes on and the discussion about the plan goes on, the more that's going to happen where we simply lose control over even the ability to plan for those areas and I think something should be done to prevent that from going further. Specifically I think that if we are going to continue this discussion that we do need some form of moratorium in the unincorporated part of Clark County to stem that activity while we continue our discussions. Put that out there for thought.

STANTON: No, I agree with you. And staff's recommendation had been rather than specifically a moratorium that we designate these areas as urban reserve. Is that something that we can do at this point in the process, Mr. Lowry, based on a temporary basis?

LOWRY: And you're talking about Meadow Glade, I think that's where the concern is, the rest of the rural or most of the expansion areas are already in urban reserve and so have large lot requirements. I think my recommendation if you want to do that, decide to do that, that that be done as an emergency action now. And given the statutory framework for emergency actions that would give us enough time to -- you'd have to hold a hearing within 60 days but we would catch up by the time you were ready to adopt the full plan with the extent of the time frame during which that emergency action can last.

MORRIS: So I guess I'm a little unclear. You are suggesting that we pass an emergency ordinance imposing a moratorium on certain areas for what reasons or help out --

LOWRY: I think my only -- although I haven't had a significant amount of discussions with the planning staff, my understanding that the concerns primarily are in the Meadow Glade rural center, the rest of the proposed expansion areas already are under some sort of larger lot zoning, primarily urban reserve.

PRIDEMORE: Even the larger lot zoning, however, can be problematic. I mean right now we have urban reserves of 10 and 20, if you've got a 50-acre parcel you could now -- and you're being proposed for industrial or business park which we've heard several folks testify in opposition to being zoned those things because they are harder to develop, they do take longer time, they could now come in even under urban reserve zoning and subdivide down to 10 acres which still stands in the way of what our overall long-term goals are. So I -- and I don't think that's limited just to Meadow Glade, it's true around the existing urban growth boundaries and even within the urban growth boundaries where there may be a need to do some rezoning as this discussion goes forward. So I don't think the urban reserve designation is going to fix this problem.

STANTON: Which brings it back to a moratorium on development outside of urban growth boundaries and within reserve areas or just plain in general outside urban growth boundaries?

PRIDEMORE: I think outside of city limits because of the possibility that we may need to do some rezoning in order to put the plan in balance.

LOWRY: When you say "moratorium on development" you're talking more than land divisions?

PRIDEMORE: I was specifically suggesting land divisions. What

else you got?

LOWRY: Nothing, but you said "development" and that could be broader. And that would preclude divisions that were less than 20 acres, above 20 acres no County review is required, so a moratorium on land divisions wouldn't preclude somebody from dividing into 20-acre parcels or larger parcels.

MORRIS: Okay. First of all, Mr. Lowry -- what I hear you saying, Commissioner Pridemore, I don't know if I'm right or not, is a moratorium, an emergency ordinance declaring a moratorium on all development applications whether they are -- I don't know about building permits, but if they are land divisions or site plan reviews or anything else. First of all, Mr. Lowry, is that second, is that legal? Second, Mr. Carson, how do you pay your people if you have no income for two months?

LOWRY: I guess first it is in concept legal. It was in fact done by Clark County in 1992 where as an emergency action the Board adopted the large lot subdivision ordinance and then in I think it was '93 actually did a moratorium on those large lot divisions until the plan was adopted.

PRIDEMORE: And that is what I'm suggesting.

STANTON: So spell it out again. What would happen with what you're suggesting, Commissioner?

PRIDEMORE: That we would declare today emergency action declaring a moratorium on all areas outside of city limits for the 60-day period obviously for the emergency action, but with the intention that it would be in place until the comprehensive plan is adopted.

LOWRY: You said "city limits," I would construe from your comments that you would do an emergency action precluding land divisions within areas outside of existing UGAs.

PRIDEMORE: Again, my intention was everything outside of city limits because the unincorporated urban growth area could be subject to rezones as we move forward and if, what do you call it, manipulation or development artificially moves forward to preclude those options that that's going to make it more difficult for us to make decisions on the comp plan. But it's just one idea.

STANTON: Well, no, I agree with you. I'm troubled by what I read in the packet that came from staff as well. We had heard and we had a number of written communications from people, and I'm trying to remember, I think they were all in the Meadow Glade area, and all had to do specifically with these parcels that are zoned for employment use being divided up into residential large lots and that certainly does impact some of the decisions that we have to make somehow. And it's a shame it happened, but it is a fact.

MORRIS: So, Mr. Lowry, we have the legal authority to just tell

people that in a certain area they can't do what their legal right to do with is their land, is with their land because we may want to do something else with it?

LOWRY: Actually the classic reason for a moratorium is to preserve status quo while comprehensive planning is undertaken.

MORRIS: But the status quo is that they can make those legal divisions under land --

LOWRY: No, that you maintain the existing status quo and preclude, quote, for a limited period of time from exercising their rights to develop.

STANTON: And I don't like moratoriums in general, it's a sign of not doing adequate planning. In this case we're trying to do the adequate planning so it's pretty much turned it on its head. Your proposal would be for two months and then we'd hold the hearing and put out a plan of work?

PRIDEMORE: Well, hopefully we would have a plan of work sooner than that, but my expectation is that the only way we're going to preclude this kind of preemptive actions on the part of a very small number of developers is that we would need to have this moratorium in place until the comprehensive plan is completed.

STANTON: I'll support that, Commissioner.

LOWRY: A question. You earlier -- I now have the geographic area in mind, anything outside the city limits. You had first said "development" meant subdivision, but if we're doing it within urban growth areas "development" can also occur through site plan approval. Is it your intent to also have a moratorium on site plan?

PRIDEMORE: My intention is to preclude this kind of jumping in and attempting to avoid the comprehensive plan designations. If site plan needs to be included to --

LOWRY: I guess my confusion is that very few proposed changes are in this update within existing UGAs.

PRIDEMORE: That's the case right now. We don't know what's going to come down as the capital facilities plans come together, do we end up with more upzoning of urban lands and preserving those options seems to be pretty vital as we come down to the closing months of this. And I'd be -- the idea of just going outside of urban growth boundaries, existing urban growth boundaries, is not a bad compromise. I get worried about moratoriums too. I don't think the impact on Rich Carson's revenue is real, but it's also short-term because as soon as the moratorium gets lifted applications will come in anyway. But maybe that's say a compromise is just going outside of existing urban growth boundaries.

STANTON: Outside of current urban growth boundaries.

PRIDEMORE: That way we don't shuck off everything.

STANTON: Right. I'm just trying to remember all of the pieces that we're talking about.

PRIDEMORE: The largest areas would be around Battle Ground and Ridgefield.

STANTON: Well, and I'm thinking on the 119th. Pat, can you help me, is that -- I don't have the existing boundaries, the existing urban growth boundaries, that big proposal on 119th east of 117th, is that inside currently or outside? Was that a rezone?

LEE: 119th east of?

STANTON: 117th.

LEE: Along 119th currently there is kind of a -- there's a few peninsulas of urban growth boundary into the rural area.

STANTON: That one, can you tell me?

LEE: Any of those, okay. If it is yeah, any of those, the yellow, brown or blue parcels on that picture are currently outside of --

STANTON: Outside the UGBs?

LEE: -- UGBs.

STANTON: Well, it should work then.

PRIDEMORE: Well, so that idea is out there as a possible action and then we've still it sounds like we're in agreement regarding land use and capital facilities plan to postpone decisions about that for some period of time, six months.

STANTON: But you do agree that we would need to put some lines on a map? I mean another little discomfort that I have is the, and we heard it from a number of the members of the public who spoke, the timing between the Planning Commission's recommendation and then when we were getting comments was very short and a lot of people didn't have an opportunity to even realize the impacts. So I think we need to go through a very deliberative open discussion about, you know, what we want to do with the map as a result of the recommendation from the Planning Commission.

LEE: Yes, I agree, you would definitely need to at least adopt some planning lines there so that the service providers could do their capital facilities analysis based on that geographic area.

MORRIS: Am I the only one interested in that available buildable lands examination to see what we've got?

STANTON: I'm not sure that -- well, I guess what would you do? Would you go back -- and this whole plan is built on 2003 to 2023 so I'm just trying to figure out where that fits in. Do you go back and do a more, how do you figure for 2003?

MORRIS: Okay. I'd take the land that we've got and I would first of all ask Mr. Carson what he sees on it in terms of pending applications. I'd work with the private sector to see what do they know about that land. I might get in my car and drive out and walk across it and see whether or not there's anything built on it. I'd look to see whether or not the assessed valuation of what was built on it is going to make it automatically fall out of our available buildable lands inventory. We have for instance right now the proposal for the subdivision along 199th or 119th that very expensive one that we've had any number of --

LEE: West Minster Walk, is that the one?

MORRIS: Yes, that's it, thank you. I think it's currently proposed as R1-6 or something like that and there are a number of acres there and if you were to calculate the number of acres as open and put six units per acre average on them, you'd get a whole lot of stuff, but the fact of the matter is it's going to fall out of the inventory. And so it may come into the urban growth boundaries, but it's not available buildable, and it's not even underutilized, so somehow or other you'd need to make up for that acreage, otherwise you'll never be able to achieve the planned densities. And, again, you'll hit that 75 percent threshold over the land in two years and we'll be right back doing this again. So and those are the steps that I would take.

PRIDEMORE: We've been around this issue before. The vacant buildable lands is based on a model, a set of assumptions that go into it that is flawed, that is not perfect, that it has errors that go both ways and it can designate some land as buildable that's not and other land as not buildable that is. The theory is is that in the end all of those errors wash out and in aggregate you have an accurate, an accurate set so.

STANTON: And that was what I meant by averages, that it does wash out is probably a better way to put it. I remember -- I believe I remember the City of Vancouver testifying, and it may have been on one of the many Planning Commission tapes that I watched and it may have been in front of us, that let's see if I can remember Section 30, the Evergreen Airport and Gateway if I remember right, those were all deemed to be developed and that was quite an awakening for me to recognize the extent of the flaws that are in the model. And I do think that it washes both ways and I do think on the average we're probably as about as close as we can get for the money that we've put into it, which is substantial.

MORRIS: I don't disagree with you about that, but it just seems to me like it's not. Of course I could say this all the time and

staff always rolls their eyes at me. I mean walk out and look at it and see. I took a tour one afternoon with, oh, how soon we forget, a very nice young man that I wish had stayed with us but the City of Vancouver stole him, and Oliver Orjiako, and I can't remember whether, Mr. Higbie, you went with us or not, but we went out and we actually looked at that inventory of underutilized land, and, yes, some of it will clearly develop, but some of it was so far off. A piece of land that we looked at at one corner had shown as underutilized on our formula, and I'm not suggesting that you change your formula on that, the assessed valuation part of it or any of that, but I mean you just look at this house and you know that piece is not going to develop. It can't because of the placement of the driveway or the front, frontage or something else like that. So that's clearly my preference. And even if you ran a rough model on them West Minster Walk is going to fall out. And the chances are very good that so is Whisper Morning Meadows --

LEE: Morning Meadows.

MORRIS: -- or a couple of the others that we've had people testify about. And we heard that a part of the area right by the Fairgrounds that we had marked dark blue for manufacturing of some kind or industrial has got large houses on it, that's going to fall off too. I mean it's just -- there's just stuff that's going to fall off.

STANTON: I guess. But still you have to make the assumption when if the price is right somebody may sell and it may convert. I mean we had someone stand up, in fact a number of people stand up, and say before they knew that the line on the map had been drawn they were getting inquiries from real estate salesmen ready to list their property or they had an investor in mind and I got the impression that these people had big houses on big lots. So it's real hard to say what the market is going to do. I don't think we can. I don't think we'd be very good as speculators.

MORRIS: No, absolutely, we would not, that's definite. But the other side of that is, Commissioner Stanton, I don't want to pressure people, I don't want to say that the only way we can achieve our comprehensive plan goals is if we pressure someone with a big new house on a nice lot to somehow or other subdivide. I don't want to do that so.

STANTON: I don't either. And I do -- even though I'm interested in this proposal for a moratorium to give us some additional planning time, there are a number of proposals that came from the Planning Commission that to me violate what I would have as a requirement if I were designating a zoning on a land. And one of those was something we heard clearly from the neighborhood associations and others having to do with reasonable transitioning between land uses and in some cases what came to us from the Planning Commission doesn't allow for that. There's work to be done clearly.

PRIDEMORE: That's about as clear as mud.

STANTON: I know. I just I can't get to supporting another run of the vacant buildable lands. I mean there was a lot of ground truthing done all along in this whole almost five-year process now and we know that there are errors both ways and I'll accept that there are errors both ways.

PRIDEMORE: Okay. So we don't want to do an update to that?

STANTON: No. And I want to accept the assumptions the way they are.

PRIDEMORE: We want to accept the assumptions the way they are. Plan text?

STANTON: I don't know that I'm ready today. If you guys are I can muddle through it but --

PRIDEMORE: I still think we have a couple of issues out there that --

STANTON: So do I.

PRIDEMORE: -- we need. And we can do that today I suppose, but I don't feel a necessity to do it today.

STANTON: Good.

PRIDEMORE: And who knows, maybe as the other pieces come together suggests some things. Land use mapping issues, you want to have a discussion about that?

STANTON: As soon as we can after the 1st of the year.

PRIDEMORE: Are you comfortable with that?

STANTON: I wouldn't mind having just a blank map to draw on.

PRIDEMORE: Any discussion or thoughts on what we've heard so far?

STANTON: Not to start over again, I heard that --

MORRIS: I'm not going to color on a map again, Commissioner Stanton. The last time around I was the only one who did what I was asked and actually colored on a map and it was useless so I'm not going to do it again.

STANTON: I was just speaking for myself on that one. I have a lot of notes given all of the public testimony at both the Planning Commission level and in front of the Board, as well as the volumes of E-mails and letters that we've gotten, some thoughts about adjustments that I'd like to see, but I have no idea how if I were to make those changes the numbers would come out. In fact I don't

feel secure that I know how the numbers shake out after the Planning Commission got done.

MORRIS: That's why I wanted the available buildable lands inventory and I want us to take a look and see whether or not we've hit our goals. That's the point of doing that.

STANTON: I think you can do that without running that model again.

MORRIS: Well, you can hypothesize about it. You can say we've added this many gross acres.

STANTON: We have so many things we can hypothesize about. I guess the piece that keeps coming back to me on a regular basis is this whole discussion of what we do on industrially zoned lands and it came out with the discussion out in Ridgefield that resulted in their EMOU or whatever that thing is called where the people who are experts in the market today are telling us that it's not wise like it used to be to hold industrial lands sacred and not allow for mixed uses on those lands. Now if we're going to follow that line of reasoning and we are going to change our industrial policy or Cities are significantly as we've heard from both Ridgefield and Battle Ground, that makes a big difference in what happens on those lands, assumptions as to what population it can carry as well as what jobs it can carry, and so I feel like the whole thing is very loose right now.

PRIDEMORE: Well, the portions -- the large issues that we heard during the public comment period that I think I'm certainly flexible about and would reconsider, one is that area around the Fairgrounds south portion you mentioned and I'm very familiar with that area and it's not going to become an office park.

STANTON: Is that the Mill Creek area? Is that what you're talking about?

MORRIS: I can't remember the name of it, but there was one gentleman who hasn't built yet and if we were to adopt the zoning there he couldn't build a house on it and he couldn't do anything else with it.

PRIDEMORE: So I think that piece I think --

STANTON: Oh, I know which one you're talking about.

MORRIS: Yes, it's just to the south of the Fairgrounds.

STANTON: It's the long blue, it's where the urban growth boundary goes funny right now.

MORRIS: Yes.

STANTON: It's around two pieces.

PRIDEMORE: Yeah. I don't know about the whole thing, but that piece to the west, that western corner where the nine lots are I think it would kind of be nice to bring them in because otherwise they just become this low density island out there but not to rezone. I don't know if you can bring somebody in with two and a half acre zoning inside an urban growth boundary.

MORRIS: Sure you can.

PRIDEMORE: So maybe that's the compromise that gives everybody what they want and still keeps the plan from, you know, becoming a checkerboard of what's in and what's out.

MORRIS: Well, we have the option of applying different kinds of zoning to it.

LOWRY: Yes.

MORRIS: We have the option of applying -- what is it that's on that huge piece on the far west of our UGB south of Salmon Creek by the sewage treatment plant? It's R what?

LEE: R1-20.

MORRIS: R1-20, we could create an R1-30 and R1-40 for some of those large lot subdivisions so that they're not threatened with people trying to come in and do R1-6. We can take that --

LOWRY: But as far as property --

MORRIS: They have to come in, you can't leave them there.

LOWRY: -- that's developed one to five acres it's -- that's the Hearings Board say they don't know what that is, it's not urban or rural, and so you got a choice of where you want to put it.

MORRIS: Right.

PRIDEMORE: Well, that was my thinking on that particular one that is a potential solution. The other on the -- that we heard a lot of testimony about was that Hinton piece, 50th Avenue. I don't know that I'd say it should come out but perhaps reexamine the densities that are zoned there. I'd like to go out and actually take a look at that piece and see if it's as bad as they were saying, but certainly more consideration, maybe R1-6 is not appropriate or maybe that isn't an appropriate place right now, but clearly eventually it will be. I had concerns about Ridgefield that maybe we have put too much there, the Planning Commission has put too much there in terms of including that entire Boschma area. I like the parts that the Port had recommended a couple of months ago up, down south of the, south of the golf course, but that bigger chunk just seems like a big chunk.

I'm open to considering additional industrial land for Battle

Ground. Actually I was more open to that until I heard that what's even been tentatively designated there is getting gobbled up with residential so quickly, but I think that at least in jobs portion in conjunction with a no net loss policy I would be flexible on talking about those things. I think those are the bigger ones that were issues of discussion that in terms of mapping are still out there for me. And then there's some smaller ones too, but I think those were the big -- the biggest ones.

STANTON: The biggest one for me is we came out of the public testimony was it raised a significant question in my mind as to whether we really gained anything by moving the population out of Battle Ground, especially with the addition of the employment lands in Ridgefield I think because just a number of things I've been thinking about, the impact on the school district. We got a letter from the Consortium yesterday maybe and it looks like Battle Ground wound up under the Planning Commission's proposal with even more students, Evergreen wound up with more, that the population that wound up on 119th Street is still in the Battle Ground School District, it still travels on 503, and, Commissioner Morris, I think you made this point a number of times about the impacts that we make with growth in our area to 503 and I think there it's probably more noticeable than anywhere else to me.

The other real downside to it is that we know as a county we don't have the revenue streams to support additional urban population and I have a lot of concern about that. The Sheriff certainly added a lot of concerns on my part and I think there's a benefit to residents to being able to be annexed to a city. And so when I look at taking it, the population, away from Battle Ground and moving it into the unincorporated urban area that we then become responsible for, my question has to be can we do a better job of providing for police services and parks and the kinds of things that residential development wants and I can't come up with a positive answer on that, nor can I see Vancouver annexing it. So the only other thing would be to give Battle Ground some additional job producing land and do as you've talked about on I-5, count on filling 503 northbound in the morning as opposed to only southbound.

So those were some of the things that I was playing with. Certainly the biggest road project in the area it looks like in the foreseeable future is the interchange for Battle Ground, as well as the potential improvements to 502, and so, you know, if that's where the road fund dollars are going to go, then it argues for putting development where it can take advantage of that. And if advantage of that is sending traffic and people to go to work in Ridgefield, then I'm going to be okay with the idea of adding employment land to Ridgefield, although I got to tell you I still have a concern about not giving Ridgefield the additional population that they need to provide services for since it appears that they will have the revenues generated there.

And in particular the special purpose district that I have the

biggest concern about, and it's no secret to anybody, is school districts and their funding. And a big reason that I have that concern is having lived through the development in East Vancouver after the last adoption of the plan and the fact that we had to go out and get a \$40 million bond approved to house all of the children that came with the population and here I know that Battle Ground already has two schools worth of unhoused students and anything that we expand their boundary is going to increase the need for schools, yet we're putting the tax base without the children to be educated in Ridgefield. So unless there were some kind of a revenue sharing agreement between school districts that doesn't seem equitable.

Those are the kinds of things that I've been struggling with ever since I heard all of the testimony and went home again and looked at the maps, the Planning Commission map and the map that we put together in July, and tried to reason through those maps. And I am frankly having some problems with the Planning Commission's map and the effects on school districts and the effects on the County as we look at our ability to provide for urban services for residential.

MORRIS: I absolutely agree with you. I absolutely do. And I'm happy to hear both you and Commissioner Pridemore talk about more job producing lands both for the city of Battle Ground and for the school district. I was happy.

PRIDEMORE: On the last related concern maybe, Commissioner, this ties on with what you were just saying, but they also eliminated a lot of the mixed use zone --

STANTON: Yes.

PRIDEMORE: -- which I know a lot of developers don't want to do mixed use, but it's something that starts linking jobs and tax base with population growth and I think that we need to reconsider how much of that the Planning Commission converted to low density residential.

STANTON: Yeah, I think you're absolutely right, those are significant. And then given some of the comments both at the Planning Commission as well as at our hearings and some of the things that we've seen in writing, and I think, Commissioner Morris, you brought it up as well, the whole question about building in floodplains. This morning we approved another contract for some additional studies having to do with floodplains and I know we've been working with FEMA to try to make sure that we know where the floodplains are mapped and I continue to have a concern about how much development we're allowing to encroach on floodplain areas as that's a residual concern I have as I look at certain proposals as well. But, yeah, the loss of the mixed use with the potential for tax base spread out throughout the community is a good one.

The discussion that the Planning Commission had about the I think it was business park zoning and I think it was on 119th and I particularly remember Commissioner Moss talking about trying to compare East Ridge Business Park size and how long it has taken to develop that and what we were proposing on 119th, and then in driving around even this weekend looking at how business parks can fit into communities, we don't need to have massive, massive acres of development into business parks that impact traffic and the neighbors as much as we need to do the integration that can happen through mixed use kinds of developments. And maybe as the market's been trying to tell us or the commercial real estate professionals have been trying to tell us that it really does come down to more of an integration rather than big blocks of development of one type or another that actually winds up building a community that you want to live in. So obviously I'm not ready to draw any lines today or color in colors on a map. But even if you don't want to do it, I do want to play around with the ones hanging on the wall at home.

PRIDEMORE: Well, we need to sit down at some point and paint colors on a map.

STANTON: Soon.

PRIDEMORE: And your suggestion is quickly after the 1st of the year, Commissioner Morris? Is that --

MORRIS: I'm happy to try.

PRIDEMORE: There's something we need --

STANTON: I don't want us to come up with anything that has not been on a prior map. I don't think we were that far away with our original map.

MORRIS: With 2.

STANTON: Pardon me?

MORRIS: With 2 or with the July map? Which one?

PRIDEMORE: You could go back to all of them.

MORRIS: It's hard to say which one was our proposed original map anymore.

STANTON: No, you're right. Now I'm going to have to pull those other maps 1 through 5 out of the closet, I can see that.

PRIDEMORE: My sense is someplace between the Planning Commission recommendation and the July map.

STANTON: The proposed, yeah, I think so too.

PRIDEMORE: That's kind of where I'm at. Capital facilities plan discussion? Thoughts?

STANTON: There's work to be done even on ours. I mean I spent some time on the one for the County. It wasn't that hard to get through because we were just -- all I remember seeing was the summary, not to mention the fact that it may be hiding the big background documents in one of the many boxes at home, but we still have work to do on ours, and certainly we have work from the Cities, and as soon as we land on some good dotted lines I think we can get help from some of the special purpose districts just to watch how much it changed for school districts between a need for 30 schools with the Commissioners proposed alternative to 34 schools in different districts with the Planning Commission recommendation. I think we owe it to the service providers to have a good map for them to plan to and give us some real numbers. The part that the public wants to know is what's it going to cost me. Do I like what's being proposed. Do I like the fact that it transitioned, that the land use plan transitions from one use to another and it makes reasonable sense and it does a fairly good job of trying to spread land uses throughout jurisdictions.

The other piece is am I willing to pay for it and we need to know, I mean we need to provide them with the information so that they can know what we're asking them to pay for and approximately where those revenues may come from. It is a bit scary to look at ours and recognize we're going to have to go through the whole stormwater management question again in the not too distant future with a \$232 million capital facilities need for stormwater management is what I remember reading, that's pretty significant, but certainly schools and water and sewer are also significant.

MORRIS: I guess when it comes to the capital facilities planning I'd like for us to overreach actually or to work with the business community in terms of their participation in the capital facilities plan and the fact of the matter is there's simply not enough money available publicly to implement the plan and there isn't going to be enough money available publicly so the private sector is going to have to pick up a bigger share than it has and I'd like to see that recognized in the capital facilities plan's calculations and I'd like to see the private sector put their pencils and their best finance people together on this to come up with a very realistic understanding that there isn't public money to do it and there isn't going to be public money to do it.

I guess the other thing I would like to see us do when we draw the lines on the map is take what the business community has been telling us seriously because they have been telling us repeatedly that we are not creating enough job producing lands, that we are not providing enough land for population. And they are the ones who make this work, we don't do it, we color maps, we approve text, we give direction to staff, but none of us have had and none of our staff has had the experience of actually trying to go out and develop a piece of land and recruit an industry or a business to

come in and do that kind of thing. They know what they're doing, they have to be viewed as a legitimate partner in this discussion, I don't think we can write off their expertise.

STANTON: I agree with you and I don't think we're going to escape in the end urban holding designations without a good fiscally constrained plan. We need to know where the funding is going to come from in order to make the infrastructure, and in my mind, as I've already indicated with my discussions about more urban residential growth for the county, it goes beyond infrastructure for me, it goes to can we realistically provide law enforcement and the teachers for the classrooms that we get built and all of the other costs that go along with providing a high standard of living, quality of life for the people who live here.

PRIDEMORE: Well, if there's one thing we know is we are not going to be able to fund all of those things. And we can't fund them for existing population, much less added population. The reality is if we go down that road very far, our only alternative is to do everything we can not to grow and that is not an option either under GMA or under our responsibilities. So we're going to grow, we're not going to have money to provide those services in a way that people have gotten accustomed to having them and that's a discussion we need to have with them.

STANTON: Right. And I think that's one of the things -- the main message Vancouver has been trying to send us is that the way you grow will influence the cost of that growth and if we were to do more like a, and this is really the extreme mind you, of a Vancouver B.C. kind of an approach where you don't have to build as much additional infrastructure, you don't put your money into the roads and you have the money to spend on services. It did not escape me, nor did it escape either of you, that when we adopted our budget for 2004 that instead of building roads with \$2.18 million we put it over in -- out of the road fund to pay for law enforcement on those roads and still the Sheriff is telling us we don't have enough officers. So certainly if we don't have to spend the money on capital facilities we can invest it in services and so our planning needs to keep that in mind to try to maximize the taxpayer's dollar, spend it the way they want to have it spent.

PRIDEMORE: And to a point we can do that. We can't take all of the road fund, but, yeah.

STANTON: That's right. We've taken everything we can right now.

PRIDEMORE: I think we've pretty much maxed out on that.

STANTON: Yes, we have.

PRIDEMORE: Well, then what I guess I would suggest is that we schedule very shortly after the 1st of the year for a work session type format essentially like we did in June or July when we just sat around the table, unrolled the maps, and just walked through

area-by-area and see what we can put together.

STANTON: Maybe the way the Planning Commission did where they were working from the maps that were by area and on those where we have a certain opinion in or out, we can just explain to each other why we would do something with them, something different. It would be good, I'd like that format.

PRIDEMORE: Does that sound all right, Commissioner Morris?

MORRIS: Uh-huh.

PRIDEMORE: Okay. That's kind of our direction right now.

LOWRY: When do you want a draft of a moratorium presented?

STANTON: You don't have it done now? Didn't you get a chance when we were doing our --

LOWRY: (Inaudible).

PRIDEMORE: Well, it's something we would -- I mean it -- I would like to take action on it right now.

STANTON: Right.

LOWRY: Okay. Can you -- I have to get to the ambulance board right now, but I could put something together I think fairly early this afternoon.

STANTON: Could we continue until 2:00?

LOWRY: Can you make it 2:30?

STANTON: 2:30.

PRIDEMORE: We can.

STANTON: Yes.

PRIDEMORE: And, Louise, you'll have another date, you'll have the date we can, we could do that exercise?

STANTON: Do you want to do it on a Tuesday or a Wednesday morning?

PRIDEMORE: I don't think it matters.

MORRIS: Which exercise? Now I'm confused. I thought you were talking about --

PRIDEMORE: Sitting down with the maps.

MORRIS: -- the maps would be a Wednesday, but you're talking about 2:30 this afternoon, Mr. Lowry?

LOWRY: Yes.

PRIDEMORE: Just to take action on the moratorium.

MORRIS: Today?

LOWRY: Right.

PRIDEMORE: Everybody's scrambling right now.

MORRIS: Well, I hope Mr. Carson is too. A fiscal note would be appropriate if you could get it in a hurry.

PRIDEMORE: So continuation to 2:30?

STANTON: Right.

PRIDEMORE: Is there a motion to that effect?

STANTON: I'm just thinking whether it would -- I don't have a problem with continuing this meeting. If we have some dates that we might want to consider, it might be helpful to people to let them know when we're going to continue with the mapping exercise.

PRIDEMORE: Okay. I was -- we could do that now or at 2:30. Yeah, I don't know that we need to do a work session on a Wednesday in this case. I mean we could do it in an afternoon or whenever we want to do it. But you've identified a couple of dates to continue to?

RICHARDS: I could probably get some Wednesday dates. It's going to take me a little time to check all of your calendars for any other date.

STANTON: Wednesday dates would be good. While she's gone I move that we continue the public hearing on the comprehensive plan until 2:30 this afternoon in this room.

PRIDEMORE: Is there a second?

MORRIS: It's okay.

PRIDEMORE: I'll take that as a second. It's been moved and seconded to continue this the meeting till 2:30. All in favor.

MORRIS: AYE

STANTON: AYE

PRIDEMORE: AYE

PRIDEMORE: Opposed. Motion passes.

LOWRY: I'm going to get to my other meeting.

STANTON: Thanks, Rich.

(Hearing adjourned until 2:30 p.m.)

PRIDEMORE: Good afternoon. I'll reconvene this hearing of the Clark County Board of Commissioners for December 16th to consider adoption of a moratorium on land divisions outside of urban growth areas. Discussion?

STANTON: Did this accomplish --

PRIDEMORE: I think this is --

STANTON: -- what you had intended?

PRIDEMORE: Yes, I think it's adequate.

LOWRY: The only thing I'd add is that it does exempt pending applications.

STANTON: I see that.

PRIDEMORE: Those would be ones that are vested?

LOWRY: Yes, either vested because they're already fully complete or have contingent vesting status because they've gone through pre-app, which means they have to file a fully complete application within six months. Those are the current County rules.

PRIDEMORE: So we can't --

LOWRY: You can't fool with them.

STANTON: So the ones that have gone through pre-app are contingently vested?

LOWRY: If they were fully complete at the pre-app stage.

PRIDEMORE: Other questions or comments?

MORRIS: Well, I would comment, Mr. Chairman, that I can't vote for this. I think it's certainly an improvement over the suggestion that we place a moratorium outside of city limits, but I simply can't do it. Frankly that area where we are experiencing these subdivision applications was identified at least a year ago by Eric Holmes of the City of Battle Ground who at that time encouraged us to try to wrap up our comprehensive plan so that this kind of thing didn't happen. It isn't landowners fault that it has taken us so long to do it, so I don't think it is appropriate that we penalize landowners who are only trying to do what they are legally entitled to do simply because we can't make up our mind and have taken a long time to do it so. I can understand moratoriums where you have traffic failures and have encouraged those in the past, but this is not a case like that so I'll be voting no.

PRIDEMORE: And I think I would have agreed with you under normal circumstances, unfortunately because this process is taking longer it will definitely make our ability to make decisions on the comprehensive plan more difficult if we don't take some action now, we will definitely be facing a continuing moving target, so I feel this is appropriate.

STANTON: And there are enough moving pieces right now. Mr. Chairman, I would move approval of Resolution Number 2003-12-20.

PRIDEMORE: Second. It's moved and seconded to adopt Resolution 2003-12-20. All in favor.

STANTON: AYE

PRIDEMORE: AYE

PRIDEMORE: Opposed.

MORRIS: NO

PRIDEMORE: That concludes our business this afternoon.

LEE: Wait.

BARRON: Mr. Chairman, I had the staff draw up a list of things because we kind of went through things fast this morning. If it's appropriate, Mr. Chairman, I'd like to approach you with this list of your action which was on here.

PRIDEMORE: Certainly. Yeah, actually I had a couple other items I needed to mention as well.

LEE: Okay. What I did is try and list the various some I think we had discussion this morning for example 1 and 2, but it would be nice to confirm things. I think we just dealt with Number 7, but there are a variety of other things and I don't know that for example if there are portions of the comprehensive plan text you think are ready to be adopted that we do it now, perhaps we do that when we come back in January, but I'd like to sort of lay out the intent to actually try and deal with as many of these as soon as we can in the process as opposed to waiting at all for the completion at the end of the process to the extent that that is possible. Do you want me to just walk through these?

PRIDEMORE: Yeah, I think several of these we did take care of this morning at least verbally and, but let's go ahead and walk through them.

LEE: Okay. There was some discussion this morning on Number 1, the planning assumptions. Does the Board of County Commissioners confirm the assumptions used to draft the proposed plan; i.e., the plan that was in place?

PRIDEMORE: I understood a yes this morning?

STANTON: Yes.

LEE: Vacant buildable lands model, we have done a run of vacant buildable lands model in the proposed plan, the July plan, the question is do we want to request the GIS to do a run on the Planning Commission recommended plan to assess capacity before drawing conclusions about potential urban growth boundaries?

PRIDEMORE: Commissioner, a no this morning?

STANTON: No.

MORRIS: And just again for the record I was a "yes" on this one and a "no" on Number 1.

LEE: Okay. Site-specific requests, the Planning Commission had recommended that at least those site-specific requests inside existing urban growth areas for which written or oral testimony was presented to the Planning Commission that those; i.e., the list of 21, be placed on the 2004 dockets and so the question then do we want to go forth with that recommendations and set these on the dockets, do we want any additions or deletions before the Board makes the determination? Staff could do a screening identifying we think these may have merit, some may not have merit, there are additional that have come directly to the Board and did not go through the Planning Commission process. So direction on those would be appropriate in terms of the process to consider those or whether or not to consider them.

PRIDEMORE: And the Planning Commission recommended that we initiate this process in January?

LEE: Yes.

PRIDEMORE: Basically as quickly as we can.

STANTON: When you said the ones that came directly to the Board you're talking about the --

LEE: There was people that had testified that did not testify at the Planning Commission but did testify at the Board about potential site-specific requests that some of which are inside urban growth areas, some of which are not inside urban growth areas.

STANTON: We're only talking about a handful if I'm remembering correctly.

LEE: I don't have the exact count in my head. I think there was about 8 to 10 in addition to the list of 21 that the Planning Commission had forwarded forward.

LOWRY: But not all of those were inside.

LEE: I don't know. Again, I don't have the figures on the top of my head.

MORRIS: Well, I guess I would be willing to go ahead and do the docket recommendations early as the Planning Commission suggested and then I would ask you to screen the ones that came to us late in the process that had not been to the Planning Commission and give recommendations on those and then we could either take or not take your recommendations.

PRIDEMORE: I agree with that.

STANTON: Yeah. What was the last part, Commissioner, that you said?

MORRIS: They can screen them and make staff recommendations --

STANTON: The ones that came to us.

MORRIS: -- on the ones that did not go to the Planning Commission, then we can decide whether to take the staff recommendation or not.

LOWRY: Just a real quick comment. The Planning Commission didn't screen the ones that came to them, they just said if it came to them all of those should be -- that their recommendation was that all of those should go on the docket for consideration early next year. You may want to have a work session at some point to screen all of them, all the ones that went to the Planning Commission and the Board so that if there are some that lack any merit that we're not spending a bunch of staff and Planning Commission and public time on them.

MORRIS: Mr. Lowry, you had three votes for the first time in months.

STANTON: But that's not a bad thing.

MORRIS: You want to jeopardize it?

PRIDEMORE: It's not a bad recommendation, though, if there are some that, it does -- this is an expensive process, I mean it normally would cost these folks \$5,000 each to even get this opportunity so I don't know if I'd rule out that possibility if we consider them. Although we did, we have all had opportunities to look at all of these.

MORRIS: We've seen them all before, yeah.

STANTON: Well, at least the list of 20 or 21 that started out with a list of 19, I think that's already been through some kind of a sorting process that we've been involved in.

LEE: Although the primary sorting criteria was that all the site-specific requests that we had on file this summer we gave them, you know, when the July plan came out we identified whether they were addressed in the plan or not and those that testified directly to the Planning Commission and we urged people the next step. If they're not in the boundary, the next step was to present their case before the Planning Commission directly. So the Planning Commission screening criteria was only if it's in the urban growth, if it's in existing urban growth areas, and if someone submitted written or presented oral testimony during the Planning Commission process, that's the extent of the screening.

LOWRY: And staff hasn't provided any review of any of them.

STANTON: That's right. You just reminded me the criteria was if they had put in an application, they were inside the urban growth boundary, they came and testified to the Planning Commission, they stayed on the list, otherwise they were falling off.

PRIDEMORE: It was more a filtration process --

STANTON: Yes, that's a better word.

PRIDEMORE: -- than an evaluation process or anything and so I would still be open to looking at ones that staff feels would not merit continue in that process.

STANTON: So a work session would be a good idea to go through that list as we typically do on docket items?

PRIDEMORE: I think so.

MORRIS: Oh, I'll just go with the flow, Mr. Lowry, I'll be easy.

PRIDEMORE: That's 3/0. Comprehensive plan text next.

LEE: There was some discussion earlier, there are certainly, it was apparent that not all of the Commissioners were comfortable going forth and so I tried to break out some of the areas where there's been the most discussion. 1(a), there are various tables and figures that would be dependent upon whatever the adopted plan is that would have to be adjusted. I think that's pretty straightforward.

Probably the most significant discussion that we heard at the Planning Commission and also before the Board was urban holding language and how that may eventually shake up. I do not think that we are ready to act on that at this point in time. No net loss of industrial land policy, there was a comment about that this morning, personally I think that is a policy decision that could be made at this time. And then there's the interchange area policy that the Board -- actually we had brought it to the Board last January and they said integrate it into the comprehensive plan process, so we have presented that information as well.

PRIDEMORE: The portions that I'm not comfortable with the urban holding language, I think that needs more discussion and refinement, and I think there's a need for us to have a more lengthy discussion as a Board in terms of the no net loss of industrial lands policy. The interchange area policy and the other issues are acceptable to me, although I would still like to have the discussion regarding the schools locating in residential.

STANTON: That was a, yeah, a code change. The interchange area policy, if I remember right the Planning Commission did not make a recommendation on that?

LEE: That is correct, they forwarded it on without a recommendation. They came up with sort of a split vote on that.

STANTON: Right. I want to have more discussion on all of these.

LEE: Okay. So we'll just table that for the moment. Okay. Code amendments. One of the booklets that we gave you was the various code amendments and other than, yes, one of the many white binders that you have --

STANTON: It's the skinny one.

LEE: -- that included the recommended changes to the urban holding districts, mixed use districts, office campus and business park districts, the process for establishment of rural industrial land banks and changes to the residential in-fill and road modifications they kind of worked together and the Planning Commission was more comfortable adjusting the road modification than changing certain language that staff had proposed in the actual in-fill ordinance. And then interchange area policy, that if we're going to continue the discussion on that, then I suspect we would continue the discussion on the code aspect to that as well at this time.

MORRIS: I need to clarify what you're asking. Are you asking if we would adopt those today or we would be willing to adopt them early in next year?

LEE: That you would be willing to adopt them early next year for example.

STANTON: And on those (b), (c) and (d) I think are pretty easy to go ahead and adopt. The others I think we need more, at least some discussion on (e).

PRIDEMORE: Well, I'm not opposed to, and this your purpose here, Pat, is that this will make it easier for the staff to --

LEE: It will be the clear direction so that when we come back to you in January, we'll be able to -- everybody would know what to expect in terms of the issues to be discussed.

LOWRY: There's one additional code amendment that I recall dealing with the emergency ordinance that the Board enacted for the concurrency ordinance with Salmon Creek and then it needs to be made permanent and so that was processed through the Planning Commission as sort of under this umbrella also.

MORRIS: So that needs to be done?

LOWRY: Yes.

MORRIS: I'm more than happy to have the discussions. We have not -- certainly not closed public testimony before the Board on these issues. If anyone wanted to make either verbal or written comment on any of these code amendments that we would be talking about early on, that would be very welcome.

PRIDEMORE: And my thinking on that, Commissioner, was that with potentially a six-month delay on adopting a final land use and CFP plan that it would be, and particularly since we will likely come up with a final final map next month, that it's going to be most appropriate for us to reopen for all public comment on the final, all the final proposed, so I was going to suggest that this afternoon as well.

STANTON: So timing on the code amendments, January? Do you want to deal with them in January?

MORRIS: Yes, if we can.

STANTON: I would like to.

MORRIS: Yes, I would be willing to make every effort to get them done in January. And I guess I would again say that just because you gave comments to the Planning Commission doesn't mean you oughtn't to give them to us as well. In fact it's helpful if you do.

PRIDEMORE: Pat, it seems to me if we do need to, if we are going to go through the whole process of holding additional public hearings, although last week at the end of this process, that it would be easier to have all of these things all at the same time. Are you suggesting that we actually adopt this language, I mean informal process?

LEE: Well, I would ask for, I would ask for Mr. Lowry's advice on whether in fact you could adopt the comprehensive plan text. Certainly you could adopt the code amendments, there's no question there.

LOWRY: I think that you could adopt portions of the comprehensive plan text, there are some portions that are interlinked with your decisions on land use. The code amendments I think are relatively separate. I mean at this point there's no --

MORRIS: We could amend the code whether we were doing the comprehensive plan or not.

LOWRY: Right. I don't think there's any indication at this point that you are going to be rethinking the sort of mix of zoning code uses that are here so I think you could adopt these without foreclosing any options in terms of the plan.

PRIDEMORE: Okay. Well, I'm in agreement if (inaudible).

LEE: Yeah. Yeah, actually my intention would be to get us far down the decision path as possible.

STANTON: I think it would help to have these in place so that people when they looked at the map, they could know what it was we were talking about with office campus.

LEE: On the backside, Number 8, certainly the capital facilities discussion --

PRIDEMORE: Hold on just a second though. On the land use map, you kind of jumped over there, let me just say for folks out there that the Board has scheduled a work session for 10:00, January 14th, and our intention at that work session will be to literally go location-by-location and put together a final final map that will incorporate some of the thoughts of the Planning Commission and some of the original preferred alternatives and what have you and that will be what we're marching from from here on out.

LOWRY: Does the Board -- following that is the Board interested in adopting some sort of memorialization by way of a resolution stating that the assumptions, these are our assumptions, these are -- all of these are sort of set and what we're now looking at is whether or not they can be proved up by capital facilities plan? That's not final adoption but it gets Pat further down where he wants to be.

PRIDEMORE: I don't -- and I know where you want to get and I'm all in favor of going there, I don't know that you can do a formal resolution that actually locks that in as the discussion goes forward though, it could be symbolic which --

LOWRY: I think that's right.

PRIDEMORE: -- it seems to me as the same as at least two Commissioners saying, yes, that is the direction that's been given. Pat wants something with a vote.

MORRIS: Well, I think he did get two things this morning. He got a 2 to 1 vote on the planning assumptions. He got a 2 to 1 vote on whether or not to do an available buildable lands model. So you've got those things taken care of. There was a formal motion, it was done. It's not got a resolution number but it's clearly in the record and it is -- you got your votes, okay. So those two things

are behind you. We do the code amendments in January. We take more comment and adopt code amendments in January. Commissioner Pridemore, I guess instead of saying is the final final plan, I would suggest that we say it is the third proposed alternative, it is the one for which we will do capital facilities planning. If something in the capital facilities planning shows that our third version of a proposed plan is undoable, then we would have to change it.

PRIDEMORE: Yeah, that was kind of a give away to Pat that there will be something. Just to use the word "final" would make Pat happy.

MORRIS: It would make him happy, but we've used that word before.

PRIDEMORE: Absolutely.

LEE: I just -- yeah, I'm looking for a better answer when someone calls me up on the phone and says what is the status and I say I don't know. So I'm trying to be able to respond to folks with inquiries with as much information as possible.

MORRIS: Have them call Mary.

STANTON: Since it's changed so many times, though, I would think that it would be important for all the jurisdictions to know that this is more than a line through the water. I mean it's, that's where we've kind of been and this is what we're proposing is we would hope to be something everybody can prove up on a capital facilities plan. So I guess I want to get a little more formal so that the Cities in particular don't feel like they're going to be going through an expense. Because it is a big expense --

MORRIS: Sure.

STANTON: -- for all of them --

MORRIS: No, I think that --

STANTON: -- and that we're going to change it significantly again, I think it would be important to have something more final.

PRIDEMORE: And I want to get there too. I'm reminded of a woman's comments last week about, you know, the Planning Commission coming out with their map that had impacts for her property, there's a point where we've got to have a map --

STANTON: Right.

PRIDEMORE: -- and whether there's little tweaks or something then and hopefully we have that map, that's what I'm talking about for a final.

LOWRY: Maybe for the January work session we can work on a

potential draft of a resolution that and --

PRIDEMORE: All right.

MORRIS: Do you think that we couldn't change a resolution if we wanted to?

LOWRY: Oh, no, you could. You could. It would be stating the Board's intent not to if that plan can be proved up.

PRIDEMORE: Symbolism is very important. Capital facilities plan, Mr. Lee.

LEE: I guess obviously that's probably where we have the most work to do and in my opinion the GMA is not all that specific or it is, you know, all that specific in what the requirements for a full 20-year revenue type of analysis are. And so we recognize the hard concurrency, the sewer, water and transportation obviously must be addressed through that process. School districts, for example, do their 6-year capital facilities plans, they do not do 20-year capital facilities plans, I doubt they want us to do their 20-year capital facilities plans for them. So the question then becomes what can we provide in terms of a 20-year outlook for this or fire or stormwater, Sheriff, police, et cetera. We have the Sheriff's testimony but that really gets to what are the requirements of capital facilities on the 20-year outlook.

We recognize what the capital facilities are for a 6-year financially balanced plan, beyond 6 years it's pretty fuzzy in my opinion and we're just trying to scope what we need to get done by the end of the year and perhaps this is a discussion when we come back in January that we need to have, you know, kind of with this as a starting point, what do you want to include in it. We can do a little more research in what might our best guess be of what's required in terms of the actual reading of the GMA. It says a 6-year financially balanced plan, it does not say a 20-year financially balanced plan.

MORRIS: I think that's right and we have learned over the last decade that you simply cannot do precise planning of any kind, especially when it comes to revenue streams. There have been significant changes, now there will be significant changes in the future. The Legislature could at some point in time make another alteration in State law that would fully fund schools and leave our roads with nothing, so six years seems to me to be reasonable to do. I don't recall, and maybe I'm wrong, Mr. Lowry, we had a capital facilities plan and it did include certain kinds of public facilities, buildings, but as we proceeded through the process we also made alterations, the most notable of which was to include the 9-1-1 system in our -- the 800 megahertz in our capital facilities plan as we progressed. So that is something that is more easily amended than the land use map to adjust a change in circumstances.

LOWRY: Right. And those weren't included as a capital facilities

element. And I'm trying to remember what it was called, some -- it was called some financing document in the GMA, but it's not, this building is not a capital facility for purposes of GMA, nor is the Sheriff. It's obviously legitimate considerations but they're not subject to the rigorous requirement that we have balanced CFPs.

PRIDEMORE: That would be my preference is to continue with the capital facilities plan policies or how, what's included in that with what we've had, what we have currently, and then handle those other issues in that separate kind of financial outlook.

STANTON: Just so that we have an awareness, if we have this kind of a population the likelihood is we're going to have to have -- I mean I would include jail facilities in that, but you're not going to be able to say how we're going to pay for it. But it's like the six-year fiscally constrained plan, but then beyond that a list of projects. And I think that's on the County's plan, that's where we have started to go, it's more of an awareness.

LOWRY: Right. There is a tie-in in that REET, you can only spend that if it's identified in the plan, but it doesn't need to be identified as one of the CFPs that we're required to have the six-year constrained plan for.

PRIDEMORE: That is an issue. If it is a facilities issue like that, though, that needs to be added to the capital facilities plan. We can do that as a docket item, not as a update to the comprehensive plan process; right?

LOWRY: If it's budget related, yes, and most of these would be.

MORRIS: I can't remember, is stormwater called out in GMA?

LOWRY: Not as a CFP.

MORRIS: Yeah, that's what I thought. Okay.

LEE: I would ask for some direction actually. I got an E-mail from Jeroen shortly after this morning's meeting, they do have a 20-year capital facilities plan with financing and they have programmed to move forward with some projects before the six months may be up, so the question is can we go ahead and move forward with that? And perhaps is a question for Rich again.

LOWRY: I think you -- although I think you could at this point decide that you're going to close testimony on part CFP and adopt it.

MORRIS: Well, we've had some recent discussions about whether or not -- I've had some recent discussions about whether or not I wanted to stick with the capital facilities, parks capital facilities plan or might prefer to divert some of that money that's preprogrammed certainly to the ball fields project at the park, it is an option for us, so without that opportunity to have some

further discussion on it I wouldn't want to just say, yeah, we can go ahead and adopt that capital facilities plan.

LOWRY: If you want to keep the option open, though, I think so far you've continued from your last public hearing to a -- deliberations to this morning to this afternoon, once we get back into it next year at some point we're going to have to re-advertise. I think if you wanted to keep the option open, you might want to consider continuing this session solely for the purpose of considering adopting the parks CFP to a time and date certain.

PRIDEMORE: And what are the issues with that? I mean why the rush for parks? Is it just an eagerness to have something completed?

LEE: I think it may have to do with expenditures of impact fees as much as anything that have been already collected and are nearing their time for being spent, otherwise it will have to be refunded.

PRIDEMORE: So there need to be changes incorporated in the CFP in order to do that?

LEE: There is, yes. The Planning Commission reviewed a revised project list that the Vancouver Clark Parks had presented that reprogrammed some of their priorities.

MORRIS: And we haven't seen that?

LEE: It was transmitted as part of the capital facilities work.

MORRIS: Right. But we haven't had -- we have not had a discussion about it?

LOWRY: No.

STANTON: Are you sure? Because I'm sitting here thinking we had a work session on it and I thought we had actually adopted it, but I guess we haven't.

LEE: It would not surprise me if you had had a work session on it --

STANTON: I think we did.

LEE: -- but in terms of an actual hearing I don't know that you have.

LOWRY: You may have done the regional part earlier this year and this is the local.

PRIDEMORE: So do we want to --

MORRIS: Well, I could understand parks but wanting to get started, but only parts of it are at risk through the impact fees. So if

there are parts of it where impact fees are at risk and we need to advance I understand that, but just in terms of the use of the long-range capital facilities for parks, at this point in time they do not include significant investment in ball fields absent a new revenue stream and for me that is becoming such a priority issue that I would like us to have a very thorough discussion about making those switches in the capital facilities plan, that's my point.

LOWRY: And I am not sure that that's something that can be addressed through this recommendation because the Parks splits theirs between their regional and their essentially PIF --

LEE: Urban.

LOWRY: -- funded programs and I think the ball fields fall into the former and I think what's now pending.

MORRIS: Right. Because we don't -- right.

LOWRY: Right.

MORRIS: But there may be some funds that are currently being used for urban parks that could be used for ball fields but they aren't programmed to do that right now, so that's my only point. And they're not going to lose them between now and January, are they?

LEE: No, I don't believe so. But if it extended six months there may be.

STANTON: And we have a work session if I remember right, Bill, scheduled. It may even be in January with Parks; correct?

BARRON: I don't know if it's in January. We can certainly check.

MORRIS: Does this help them if we say that it would be our intent to adopt the Parks' capital facilities plan as early in the year as possible and that we would make that a priority over the other parts of the capital facilities plan? Would that make them happy?

LOWRY: But part of it, our legal conundrum is that GMA only technically allows once a year reopening of the comp plan, including capital facilities plans, unless you can fall within one of the exceptions. Now parks may be able to fall in one of the exceptions, they did one time before. One of them deals with if the amendments is undertaken in conjunction with a budget action. But there are risks in --

PRIDEMORE: Well, if there's some --

MORRIS: Well, then would that risk exist if we do what Parks would like us to do and adopt their part now, that risk? I mean if it's a timing issue that exists whether it's now or January 15th or, does it not?

LOWRY: Yes.

PRIDEMORE: If there is something that we are going to lose PIF money or something, I'd be interested in going ahead and adopting the Parks' capital facilities plan. If there's not, I get uncomfortable if we start piecemealing this thing out. I'd rather come to a point in May or June where we hold new hearings and we adopt whatever we're going to adopt, that would be my preference rather than piecemeal it off, but if we have to preclude something negative happening, then that's fine by me.

STANTON: They actually have three work sessions scheduled with Parks in January, I'm sure we can make an adjustment to one of them to pursue it (inaudible) --

MORRIS: And I think one of those is on this issue, it's certainly on use of real estate excise tax.

STANTON: Yes.

LEE: Okay. We'll convey that to the Parks Department.

PRIDEMORE: Do you need anything else?

LEE: That's all I have. No, that's very helpful. Thank you for indulging me.

PRIDEMORE: Okay. So you'll get back to us on whether or not we do need to take that whatever formal actions so we can get that public notice out. I'm suggesting we're not going to continue today this hearing to a date certain, but if we do come up to a point where we have to take some sort of action on some piece of this, you'll let us know and --

LOWRY: Yes.

MORRIS: They'll advertize it early.

LOWRY: We'd treat it as being still part of the 2003 process.

PRIDEMORE: All right. Then we're set for work session to do the map again January 14th, 10:00 a.m. Any other questions or comments?

STANTON: Now how are we leaving this hearing because we're still in a hearing? Are we actually closing this now and we will renote later?

PRIDEMORE: That's what I'm suggesting.

STANTON: All right.

PRIDEMORE: Okay. Then without objection we are adjourned.

(At 3:00 p.m. hearing adjourned.)

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Judie Stanton, Commissioner

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